

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-------------------------------|----------|---------------------|
| SAMMY PERRY, | : | CIVIL ACTION |
| Plaintiff | : | |
| | : | |
| v. | : | NO. 09-5645 |
| | : | |
| REDNER'S MARKET, INC., | : | |
| Defendant | : | |

ORDER

AND NOW, this 21st day of June, 2010, upon consideration of the defendant's motion to dismiss Counts III and IV of the complaint (Document #2), and the plaintiff's response thereto (Document #4), it is hereby ORDERED that the motion is DENIED in its entirety.

BY THE COURT:

/Lawrence F. Stengel
LAWRENCE F. STENGEL, J.
